

REMARKS

In the above-captioned Office Action, claims 1-6, 10, 12-17, 20-24, and 39-49 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Thibert (U.S. Patent No. 6,397,058), claims 7-9, 18-19, 25-29, and 32-38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Thibert in view of Chen (U.S. Patent No. 6,496,578), claim 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Thibert in view of Bonta (U.S. Patent No. 5,758,264), and claims 30 and 31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Thibert and Chen in view of Lin (U.S. Patent No. 6,285,683). The applicants respectfully disagree with the Examiner's claim rejections and request reconsideration.

Regarding claims 1 and 39, the applicants assert that Thibert does not teach or suggest the "availability of a geographical location of a primary communication device, wherein the information indicates **whether** the geographical location is **available**" (emphasis added) as claimed by claims 1 and 39. The Examiner cites Thibert col. 6, line 1 through col. 7, line 29 as teaching this and other aspects of claim 1. It is unclear exactly how this relatively long passage teaches the use of information about whether geographical location is available. The applicants ask the Examiner to **specifically point out and explain** how Thibert allegedly teaches this claim language. We assert that Thibert does not. What we consider to be the most relevant portion of the cited passage, col. 6, line 66 through col. 7, line 29, reads as follows with emphasis added:

FIG. 6 depicts a flow diagram of an exemplary incoming call handling method based on a RIS service profile that is provided in accordance with the teachings of the present invention. One or more decision processes may take place depending upon the RIS service or option profile in the home SCP, and it should be understood that there is no requirement of a specific order for these processes. After an entry step (step 602), the method begins by determining **whether the subscriber is located in a participating destination MSCID** (step 604). If so, the RIS profile for the mobile subscriber is checked to determine whether call delivery in that location is allowed (step 606). If so, the incoming call is then delivered to the subscriber (step 616). If a partial A-number list is available (step 608), the call may be delivered if there is a match. Otherwise, the full A-number screen is used (step 610) for determining the call treatment. Additionally, a personal A-number list (on-the-fly A-numbers) may be checked (step 612) to see if the incoming call may be delivered to the mobile subscriber. If the subscriber is not located in a participating destination MSCID (as determined by the decision block 604), the process may check to see if any additional screening checks may be available (step 624), such as those described above. If they are not available or desired, a pre-recorded announcement may

be provided to the calling party (step 618), which may also be available as an option when the additional screens do not yield a call delivery result. Extra options may be provided when all delivery screens fail such as, for example, a C- number forwarding (step 620) and the like (step 622).

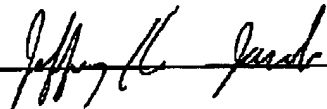
Thibert appears to teach decision-making based on "whether the subscriber is located in a participating destination MSCID" but not based on whether the geographical location of a device is **available**. Thus, location information in Thibert is presumed to be available. Thibert decision-making is based on where, not whether the "where" is available or not. In contrast, claims 1 and 39 claim "if the information indicates that the geographical location is available, then ... if the information indicates that the geographical location is not available, then" Moreover, Thibert appears to refer to availability only with respect to "additional screening checks," not with respect to the geographical location of a device.

Regarding claim 24, the Examiner cites the same Thibert passage as cited for claims 1 and 39, col. 6, line 1 through col. 7, line 29. However, again it is not clear exactly how this passage teaches claim language such as "a processor...that identifies a target communication device to which the call shall be forwarded based on the geographical location of the primary communication device" (emphasis added) in claim 24. The applicants ask the Examiner to **specifically point out and explain** how Thibert allegedly teaches this claim language. We assert that Thibert does not.

Since Thibert does not teach all of the limitations of base claims 1, 24, or 39, or therefore, all the limitations of their respective dependent claims which are also rejected under Thibert, each of which includes the all limitations of one of these base claims, the applicants assert that the Examiner has not shown anticipation nor made a prima facie case for obviousness. The applicants now respectfully submit that the claims in their present form are patentable over the prior art of record, and are in condition for allowance. As a result, allowance of this case and early passage to issue is earnestly solicited.

The Examiner is invited to contact the undersigned, if such communication would advance the prosecution of the present application. Lastly, please charge any additional fees (including extension of time fees) or credit overpayment to Deposit Account No. 502117.

Respectfully submitted,
Cox et al.

By: _____

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